

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

|                                    |   |                        |
|------------------------------------|---|------------------------|
| EMILIA STRONG SYKES, <i>et al.</i> | : |                        |
|                                    | : | Case No. 3:06cv582-MHT |
| Plaintiffs,                        | : |                        |
|                                    | : | Judge Thompson         |
| vs.                                | : |                        |
|                                    | : | Magistrate Judge Coody |
| BENJAMIN F. PAYTON, <i>et al.</i>  | : |                        |
|                                    | : |                        |
| Defendants.                        | : |                        |

**MOTION TO VOLUNTARILY DISMISS**

In accordance with the provisions of Rule 41 (a)(2) Plaintiffs hereby move to voluntarily dismiss this action without prejudice.

Respectfully submitted,

*s/Percy Squire*  
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via email via the CM/ECF system to the party below, on the 2<sup>nd</sup> day of August, 2006:

Ernestine S. Sapp  
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s/Percy Squire  
Percy Squire, Esq.( 0022010)